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| APPLICATION NO.      | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------|-------------|----------------------|---------------------|------------------|
| 09/841,150           | 04/24/2001  | Richard Alan Dayan   | RPS9 2001 0015      | 6065             |
| 47052                | 7590        | 11/02/2004           | EXAMINER            |                  |
| SAWYER LAW GROUP LLP |             |                      | LEMMA, SAMSON B     |                  |
| PO BOX 51418         |             |                      | ART UNIT            |                  |
| PALO ALTO, CA 94303  |             |                      | PAPER NUMBER        |                  |

2132  
DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

**Application No.**

09/841,150

**Applicant(s)**

DAYAN ET AL.

**Examiner**

Samson B Lemma

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## ***DETAILED ACTION***

1. Claims **1-10** have been examined.

## ***Specification***

2. The disclosure is objected because of the following informalities:
  - On page 2, lines 14, the “use” should have been the “user”
  - On page 7, line 11 and On Page 9, line 10  
“the partition 100” should have been “the partition 110” (As explained on figure 3, ref. Num “110”)
  - On page 7, line 13; page 7, line 14; page 7, lines 15; and on page 8, line 19  
“a method 210” should have been “a method 200” (As explained on figure 5, ref. Num “200”)

## ***Drawings***

3. The drawing is objected because of the following informalities:
  - Figure 3, ref. Num “122”, which is assigned to password list should have been ref. Num “126”. ( As explained on the disclosure on page 6, lines 7 and page 8, lines 3)

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art (hereinafter referred to as **Admission**) in view of IBM technical disclosure Bulletin ,TDB-ACC-NO: NN9611103 (reference U) (hereinafter referred to as **IBM**)

6. **As per claim 1 and 6,** **Admission** discloses a method for providing a trusted boot source in a computer system,

The computer system (Page 1,line 6; fig 1, ref. Num "10") including

A partition (Page 1, lines 8-9; fig 1, ref. Num "20") and

An operating system,(Page 1, line 4, fig 1, ref. Num "12")

The partition being nonviewable from the operating system,(Page 1, line 14)

The method comprising the steps of:

- (a) Allowing a plurality of sub-partitions to be defined in the partition, (Page 1, lines 8-9; figure 1, ref. Num "20" and ref. Num "22,24,26,28") the plurality of sub-

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partitions corresponding to a plurality of boot sources;(Page 1,lines 10; Page 2, lines 11-17) and

- Admission discloses that the computer system might have other boot devices which is not shown on submitted figure 1, and these boot devices might be accessed by a user only with a password. (Page 1, lines 11-13)
- Admission does not disclose expressly  
(b) allowing a password to be provided for each of the plurality of sub-partitions, the password being required for a user to utilize a corresponding sub-partition as a boot source.

However, in the field of endeavor **IBM**, discloses

- Adding a features to the BootManager such that when the desired bootable partition is selected, the user is prompted to enter a password for that particular partition or sub-partition before booting commences.( Paragraph 1, lines 12-15)
- IBM further discloses that this solution allows the children to be restricted from accessing and modifying or corrupting the parents programs or data.(Paragraph 1, lines 9-11) (The submitted disclosure on page 3, line 4, mentioned this scenario)

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to add the features of requiring a particular password for accessing and utilizing the corresponding partiton as per teachings of IBM in to the method as taught by Admission, in order to provide a secure/trusted boot source and booting system.

7. **As per claims 2 and 7**, the combination of Admission and IBM discloses the method of providing a trusted boot source as applied to claims 1 and 6 above. Furthermore, IBM discloses the method further comprising the step of: (c) allowing a user to boot from a sub-partition of

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the plurality sub-partitions if the user provides the password for the sub-partition. (Paragraph 1, lines 12-15)

7. **As per claims 3 and 8,** the combination of Admission and IBM discloses the method of providing a trusted boot source as applied to claims 1 and 6 above. Furthermore, Admission discloses the method wherein, the partition (figure 1, ref. Num "20") is stored in a hardfile (figure 1, ref. Num "30") in the computer system.(figure 1, ref. Num "10") (Page 1, lines 7-8; figure 1, ref. Num "10"; ref. Num "20", ref. Num "30")

8. **As per claims 4 and 9,** the combination of Admission and IBM discloses the method of providing a trusted boot source as applied to claims 3 and 8 above. Furthermore, Admission discloses the method wherein an identity of each of the plurality of sub-partitions and the password for each sub-partition is stored in the hardfile.(figure 1, ref. Num "30") and IBM discloses how each partion is accessed with its corresponding password,( Paragraph 1, lines 12-15) (the combinations of IBM and the admission meets the recitation of this limitation)

9. **As per claims 5 and 10,** the combination of Admission and IBM discloses the method of providing a trusted boot source as applied to claims 1 and 6 above. Furthermore, Admission discloses the method wherein the partition is lockable from the operating system.(Page 1,lines14-15)

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

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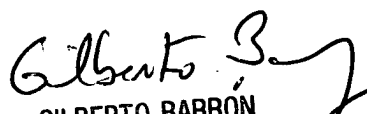
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

  
10/26/2004

  
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